

20



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,325	02/07/2002	Masato Yoshikawa	G0126.0003/0US0	4581

7590 07/07/2005

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
1177 Avenue of the Americas
New York, NY 10036-2714

EXAMINER

AILES, BENJAMIN A

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/067,325

Applicant(s)

YOSHIKAWA, MASATO

Examiner

Benjamin A. Ailes

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the Amendment in response to non-final office action, filed 21 June 2005.
2. Claims 1-17 remain pending.

Drawings

3. The drawings were received on 21 June 2005. These drawings are acceptable for examination proceedings.

Specification

4. The amendment to the specification by the applicant has been accepted. The specification is now in conformance and the objection has been withdrawn.

Claim Rejections - 35 USC § 112

5. The amendment to claims 1 and 4 by the applicant has been accepted. Claims 1-7 are now in conformance and the 112 rejection has been withdrawn.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Purnaveja et al. (U.S. 6,006,241), hereinafter referred to as Purnaveja.

Art Unit: 2142

8. Regarding claims 1, 8, 15, 16, and 17, Purnaveja discloses a plural media data synchronizing system which connects image source to network data obtained from a network, comprising:

an inserting unit which inserts into the image source an image marking including information that is used to display the network data synchronizing with displaying of the image source and is extracted from the image source (col. 2, lines 42-48 and col. 5, lines 43-45);

an image supplying unit which supplies the image-marked image source in which the image marking has been inserted by the inserting unit, via a predetermined medium (col. 4, lines 46-49);

an editing and integrating unit which receives the image source from the image supplying unit and performs at least one of editing of the received image source and integrating of the received image source, to produce image contents (col. 5, lines 43-45); and

a display unit which detects the image marking from the image contents, and displays the image contents and the network data synchronously based on synchronizing information obtained from the detected image marking (col. 4, lines 46-49 and col. 5, lines 46-53).

9. Regarding claims 2 and 9, in accordance with claims 1 and 8, respectively, Purnaveja discloses the system wherein the image supplying unit supplies the image source by using a plurality of media (col. 4, lines 9-22).

Art Unit: 2142

10. Regarding claims 3 and 10, in accordance with claims 1 and 8, respectively, Purnaveja discloses the system wherein the inserting unit (a) produces a feature file used for moving picture matching based on the image source (col. 5, lines 43-45), (b) inserts the image marking including a description about a location where the feature file is stored, into the image source (col. 5, lines 46-51), and (c) produces a synchronizing information script showing when the network data are displayed (col. 5, lines 46-53).

11. Regarding claims 4 and 11, in accordance with claims 3 and 10, respectively, Purnaveja discloses the system wherein the editing and integrating unit performs at least one of the editing and the integrating by using the feature file and the synchronizing information script (col. 5, lines 48-51).

12. Regarding claims 5 and 12, in accordance with claim 1 and 8, respectively, Purnaveja discloses the system wherein the image marking includes information used to access the network data based on a synchronizing timing of the image source (col. 7, lines 20-27).

13. Regarding claims 6 and 13, in accordance with claim 1 and 8, respectively, Purnaveja discloses the system wherein the inserting unit inserts the image marking into the image source for each medium by which the image source is supplied (col. 5, lines 43-45 and col. 7, lines 33-35).

14. Regarding claims 7 and 14, in accordance with claims 6 and 13, respectively, Purnaveja discloses the system wherein the image marking includes information used to access the network data based on a synchronizing timing of the image source, and information of the network data (col. 7, lines 20-27 and col. 6, lines 57-64).

Response to Arguments

15. Applicant's arguments filed 21 June 2005 have been fully considered but they are not persuasive. Applicant argues that Purnaveja does not disclose "the inserting unit which inserts into the image source an image marking including information that is used to display the network data synchronizing with displaying of the image source and which is extracted from the image source." The Examiner respectfully disagrees. Purnaveja discloses a user-friendly too, a production station, (the inserting unit) which inserts the image marking in to the image source (see col. 5, lines 43-45). Purnaveja also teaches synchronization scripts including annotation streams for synchronizing the display of video streams with annotations, annotations being displayable events such as textual/graphical data in the form of HTML pages with Java applets for instance. This is the use of the image marking to display the network data synchronizing with displaying of the image source, which is extracted from the image source.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2142

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin Ailes whose telephone number is (571)272-3899. The examiner can normally be reached Monday through Friday, 7:30-5, First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. **Note: Starting July 15, 2005, the new fax phone number for the organization where this application or proceeding is assigned will be 571-273-8300.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER

BAA